

**REMARKS**

In the Restriction Requirement mailed October 06, 2005, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-32, drawn to methods/machine readable medium/pattern generating system involving analyzing optical behavior within the ring-like region, classified in class 716, subclass 21.
- II. Claims 33-37, drawn to a method for solving a system of equations to select a point within at least one of the intersecting regions, classified in class 703, subclass 2.
- III. Claims 38-61, drawn to methods/machine readable medium involving identifying a number of second regions overlapping the first regions as part of the reticle forming/optical behavior analysis, classified in class 716, subclass 21.

Applicant elects, without traverse, Group I, claims 1-32. Applicant respectfully cancels claims 33-61 (Groups II and III) without prejudice or disclaimer, and reserves the right to reintroduce them in one or more Divisional applications at a later date.

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/609,153

Filing Date: June 24, 2003

Title: METHOD AND DEVICE FOR CHECKING LITHOGRAPHY DATA

Page 9

Dkt: 303.854US1

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6944 to facilitate prosecution of this application.


If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

HUSAYN ALVAREZ-GOMARIZ ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6944

Date 11-4-2005 By   
David C. Peterson  
Reg. No. 47,857

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 4 day of November, 2005.

Name KATE GANNON

Signature 